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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,101	12/30/2005	Akira Kato	0425-1236PUS1	6760
2292 7590 06/02/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
SOROUSH, ALI				
ART UNIT		PAPER NUMBER		
1616				
NOTIFICATION DATE		DELIVERY MODE		
06/02/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

## Interview Summary

**Application No.**

10/563,101

**Applicant(s)**

KATO ET AL.

**Examiner**

ALI SOROUGH

**Art Unit**

1616

All participants (applicant, applicant's representative, PTO personnel):

(1) ALI SOROUGH.(3) Monique Cole.(2) Johann Richter.

(4) \_\_\_\_.

Date of Interview: 05/14/2009.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_.

Claim(s) discussed: 1-11, 13-15, 17, and 24.

Identification of prior art discussed: Chaubal et al. (US Patent Application 2004/024662, Published 12/09/2004) and Feldmann (US Patent 2652234, Published 09/15/1953).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner agreed that the rejection of claims 1-11, 13-15, 17, and 24 under 35 U.S.C. 112, second paragraph would be withdrawn. The Examiner also noted that a affidavit of unexpected results in using a specific homogenizer not disclosed in Chaubal et al. or Feldmann would overcome the rejection of record.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

5/14/09

/Johann R. Richter/  
Supervisory Patent Examiner, Art Unit 1616